

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FRANKLIN MORRIS,

Plaintiff(s),

vs.

LT. LARRY DOYLE, et al.,

Defendant(s).

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Case No. 4:07CV1629JCH

ORDER

This matter is before the Court on Plaintiff Franklin Morris' Motion for Leave to File Amended Complaint, Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and Motion to Defer Dispositive Rulings Pending Filing of Amended Complaint and Incorporated Memorandum of Law, filed January 12, 2009. (Doc. No. 35).

Under the Case Management Order issued in this case (Doc. No. 15), all motions for amendment of pleadings were to be filed by June 12, 2008. Defendants filed their Motion for Summary Judgment (Doc. No. 23) and Plaintiff filed his response thereto (Doc. Nos. 28, 30). Plaintiff's Motion, therefore, is untimely.

In addition, Plaintiff failed to file a proposed amended complaint with his Motion. This court cannot determine whether amendment of the pleadings would be in the interest of justice when Plaintiff has not provided the proposed amended complaint.

Upon consideration, the Court denies Plaintiff's motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff Franklin Morris' Motion for Leave to File Amended Complaint, Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and Motion to Defer Dispositive Rulings Pending Filing of Amended Complaint and Incorporated Memorandum of Law (Doc. No. 35) is **DENIED**.

Dated this 13th day of January, 2009.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE